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EPA Region 5 Records Ctr.



377224

August 10, 2010

Carol Ropski
U.S.E.P.A. - Region 5
Emergency Enforcement Services Section
77 West Jackson Blvd., SE-5J
Chicago, IL 60604-3590

Re: Bautsch-Gray Mine Site, Site ID#B5TS

Dear Ms. Ropski:

Along with the firm of Nack, Richardson & Nack, P.C., Galena, Illinois, this firm represents Louie's Trenching Service, Inc., in connection with your letter of July 22, 2010, regarding the above mentioned Site. This letter is in response to that portion of your letter asserting that "EPA has received information that Louie's Trenching Service [sic] may have owned or operated the Site or generated or transported hazardous substances that were disposed of at the Site." We will provide a separate response to USEPA's request for information under Section 104(e) of CERCLA.

Please be advised that neither Louie's Trucking Service, Inc., nor any of its shareholders, agents or employees (collectively "Louie's") are responsible parties under CERCLA. At no point in time did Louie's own or operate the Site. Further, Louie's did not transport, dispose of or treat any materials to or at the Site. Louie's only involvement with the Site did not include any conduct or activity which could result in liability under CERCLA. At one time in the mid to late 1990's, Louie's placed an end loader and a screen at the Site, but, upon advice from IEPA, Louie's never used the equipment at the Site and removed it after discussions with IEPA. Because Louie's is not legally responsible for the Site, it is inappropriate for Louie's to be requested to either fund or conduct an investigation and remediation as outlined in your letter. With due respect, Louie's declines your requests.

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Please contact the undersigned if either you or your counsel would like to discuss this response in greater detail.

Very truly yours,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Donald Q. Manning.

Donald Q. Manning

DQM/sam

cc: Joseph Nack
Louis Timp